

PRESENTED: May 3, 2005

ADOPTED: May 17, 2005

ORDINANCE NO. 2005- 05.02

AN ORDINANCE ESTABLISHING CERTAIN SANITATION USER FEES OF THE CITY OF DANVILLE, DEPARTMENT OF PUBLIC WORKS, EFFECTIVE JULY 1, 2005.

BE IT ORDAINED, by the City Council of the City of Danville, Virginia, that certain Sanitary User Fees of the City of Danville, Department of Public Works be, and the same are hereby, established in accordance with and as shown on the four (4) Schedules attached hereto as follows:

Schedule I - General Terms and Conditions;

Schedule II - Residential Refuse Collection
and Disposal Fees;

Schedule III - Compost Facility Charges;

Schedule IV - Appliance Collection and Disposal;

AND BE IT FURTHER ORDAINED that the aforesaid Schedules be, and they are hereby, made a part of this Ordinance as fully and completely as if they were set out in their entirety in this Ordinance.

AND BE IT FINALLY ORDAINED that all previous sanitation user fee schedules are hereby repealed and replaced by the attached Schedules.

APPROVED:


MAYOR

ATTEST:

Annette Z. Crane, CMC
CLERK

Approved, as to
Form and Legal Sufficiency:

[Signature]
City Attorney

CITY OF DANVILLE
DEPARTMENT OF PUBLIC WORKS
SANITATION USER FEES

SCHEDULE I

GENERAL TERMS AND CONDITIONS

- A. All charges billed on utility service bills are subject to a 1-1/2% late payment charge if not paid within 10 days or the due date on the bill whichever is later. Partial payments on utility bills, which also include sanitation user charges, shall first be applied to sanitation user charges.
- B. Charges billed separate and apart from utility service bills are subject to an interest charge of 10% per annum applied on a monthly basis.
- C. The City Manager, or his designee, is authorized to develop administrative policies and procedures for the billing and collection of the refuse collection and/or disposal fees which are consistent with the provisions and the authorizing ordinance.

CITY OF DANVILLE
DEPARTMENT OF PUBLIC WORKS
SANITATION USER FEES

SCHEDULE II

COLLECTION, DISPOSAL, AND RENTAL FEES

A. GENERAL

1. The charges imposed herein are subject to the General Terms and Conditions of Schedule I for Sanitation User Fees and are approved by the Council of the City of Danville, Virginia.
2. The effective date for charges imposed herein is July 1, 2005 and thereafter.
3. Refuse generated, produced, or accumulated upon residential premises, as defined in Section 17-2 of the Code of the City of Danville, Virginia, 1986, as amended, in the City shall be collected and disposed of by the City Department of Public Works. Such collection and disposal by the City shall be in accordance with the provisions of Chapter 17 of the City Code.
4. The Department of Public Works also provides drop-off recycling sites, yard waste composting facility, landfill post-closure care, yard waste collections, loose leaf collections, and solid waste debt service in addition to the residential refuse collection referred to in Item A.3 above.
5. Fees shall be paid by the owner of said residential premises or by the tenant, lessee, or occupant of such residential premises.

B. FEES

1. A monthly fee of \$16.50 shall be paid to the City for collection and disposal of refuse, recycling, composting, landfill post-closure care, yard waste/loose leaves and debt service for each single-family dwelling or single-family dwelling unit constituting a residential premises within the City as defined by Section 17-2 of the City Code including an apartment or condominium.
2. A monthly fee of \$2.00 shall be paid to the City for recycling, composting, landfill care, loose leaves, and debt service for each single-family dwelling or single-family dwelling unit within the City which has opted out of residential refuse collection as defined by Section 17-25 (b) of the City Code.
3. A monthly fee of \$2.00 shall be paid to the City for recycling, composting, landfill post closure care and debt service, by each commercial and industrial meter within the City.

4. A reduced monthly fee of \$8.25 or \$1.00 respectively, per B.1 and B.2 above, shall be paid by elderly and disabled persons who apply and qualify in accordance with the provisions of Section 17-26 of the City Code.
5. A reduced monthly fee of \$8.25 or \$1.00 respectively, per B.1 and B.2 above, shall be paid if a single-family dwelling or single-family dwelling unit constituting a residential premises is vacant for a period of sixty (60) consecutive days or more or the persons residing therein are on vacation or otherwise absent from the dwelling or dwelling unit for a period of sixty (60) consecutive days or more. Application for this reduced rate must be made to the Customer Service Division after the initial 60 days have elapsed. Reimbursement will not be granted for time between the required elapsed 60 days and the date of application. An application must be submitted each subsequent sixty (60) days to continue eligibility for reduced monthly fees. The applicant must be the principal occupant of the premises, which is his or her sole dwelling as set forth in Section C below.

C. QUALIFICATIONS FOR REDUCED FEE

1. Applicant must be an owner, tenant, lessee, or other occupant of a single-family dwelling or single-family dwelling unit constituting residential premises.
2. The applicant must be the principal occupant of the premises.
3. The fact that a person who is otherwise qualified for the vacancy reduced fee for refuse collection and disposal provided for in this Ordinance is residing in a hospital, nursing home, convalescent home, or other facility for physical or mental care for an extended period of time shall not be construed to mean that the property for which the reduced charge for refuse and disposal is made does not continue to be the sole dwelling of such person during such extended period of other residence, so long as such property is not used by or leased to another for consideration.
4. A person shall be deemed to be the principal occupant of residential premises, if said premises is the sole dwelling of such person and if such person is the owner or lessee named in the deed or lease for said premises or is otherwise the head of the household of such premises for federal and/or state income tax purposes. Provided, however, in the absence of the existence of a deed or lease or qualification for tax purposes as the head of household of such premises, the person responsible to the City of Danville for payment of bills for utility services for said premises may be deemed to be the principal occupant.

CITY OF DANVILLE
DEPARTMENT OF PUBLIC WORKS
SANITATION USER FEES

SCHEDULE III

COMPOST FACILITY CHARGES

A. GENERAL

1. The charges imposed herein are subject to the General Terms and Conditions of Schedule I for Sanitation User Fees.
2. Since July 1, 1993, the City has operated a composting facility adjacent to the previous landfill site near the Municipal Airport.
3. Waste accepted at the facility are limited to woody waste, yard waste, and brush. Household garbage will not be accepted at the facility.
4. All fees will be based upon product volume. The effective date for charges imposed herein is July 1, 2005.
5. Solid waste generated by residents, businesses, and industries within the City of Danville will be accepted at the composting facility.

B. FEES

1. Yard Waste Disposal Fee – \$38.11 per cubic yard. Applies to contractors, residents, businesses, and industries which are not paying the full Residential Refuse Fee. Does not apply to residents who transport yard waste generated at a qualified residential unit.
2. Bulk Debris Trailer / Bucket Truck Rental – \$120.00 per rental. Arrangements are made by reservation and fees are payable in advance.
3. Firewood (tree trunks/logs) – No charge, when available.

CITY OF DANVILLE
DEPARTMENT OF PUBLIC WORKS
SANITATION USER FEES

SCHEDULE IV

APPLIANCE COLLECTION AND DISPOSAL

A. GENERAL

1. The charges imposed herein are subject to the General Terms and Conditions of Schedule I for Sanitation User Fees.
2. Public Works will collect white goods/appliances at the request of residents/commercial establishments.
3. A signed agreement with the City as a condition to the collection and acceptance of items by the City, authorizing placement of charges on the requestor's utility bill and/or miscellaneous bill, whichever can be accommodated by the City.

B. FEES

1. Disposal charge for white goods with CFC's (contains freon or refrigerants) – \$40.00 each. (Refrigerator, freezer, etc.).
2. Disposal charge for white goods with non-CFC's (does not contain freon or refrigerants) – \$15.00 each. (Washer/dryer, etc.,)